

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 25-10-1-1.5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.5. (a) There is created
- 5 a board of chiropractic examiners. The board shall consist of seven (7)
- 6 members appointed by the governor, not more than four (4) of whom
- 7 may be affiliated with the same political party. Six (6) of the board
- 8 members must be licensed under this chapter and must have had at
- 9 least five (5) years of experience as a chiropractor prior to their
- 10 appointment. One (1) member is to represent the general public and
- 11 must be:
- 12 (1) a resident of this state; and
- 13 (2) in no way associated with the profession of chiropractic other

1 than as a consumer.

2 (b) All members shall be appointed for a term of three (3) years and
3 serve until their successors are appointed and qualified. A vacancy
4 occurring on the board shall be filled by the governor by appointment.
5 Each appointed member shall serve for the unexpired term of the
6 vacating member.

7 (c) The members of the board are entitled to the minimum salary per
8 diem provided by IC 4-10-11-2.1(b). Members are also entitled to
9 reimbursement for traveling expenses as provided under IC 4-13-1-4
10 and other expenses actually incurred in connection with the member's
11 duties as provided in the state policies and procedures established by
12 the Indiana department of administration and approved by the budget
13 agency.

14 (d) The members of the board shall organize by the election of a
15 chairman and a vice chairman from among its membership. The
16 officers serve for a term of one (1) year. The board shall meet at least
17 once each year and on other occasions as it considers necessary and
18 advisable. A meeting of the board may be called by its chairman or by
19 a majority of the members on the board. Four (4) members of the board
20 constitute a quorum for the transaction of business. All decisions are
21 required to be made by a majority vote of the quorum.

22 (e) The bureau shall provide a secretary of the board and other
23 personnel necessary for the proper performance of the board's duties
24 and responsibilities under this chapter. The board, through the bureau,
25 shall receive and account for all money collected under this chapter and
26 pay the money to the treasurer of state to be deposited by the treasurer
27 in the general fund of the state.

28 (f) The board may do the following:

29 (1) Establish reasonable application, examination, and renewal
30 procedures for certification under this chapter.

31 (2) Use an examination under this chapter that is designed by the
32 board, designed by another person, or designed in part by the
33 board and in part by another person.

34 (3) Conduct in the manner prescribed by the board examinations
35 of applicants for certification under this chapter. The board may
36 conduct any part of the examinations through a person other than
37 the bureau who is approved by the board. The bureau may
38 conduct any part of the examinations under IC 25-1-5-4.

- 1 (4) Issue, deny, suspend, revoke, and renew certificates.
- 2 (5) Subject to IC 25-1-7, investigate and conduct hearings, upon
- 3 complaint against individuals certified or not certified under this
- 4 chapter, concerning alleged violation of this chapter with hearings
- 5 to be conducted in accordance with IC 4-21.5.
- 6 (6) Initiate the prosecution and enjoinder of a person violating this
- 7 chapter.
- 8 (7) Adopt rules necessary for the proper performance of the
- 9 board's duties, in accordance with IC 4-22-2.
- 10 (8) Maintain a current list of individuals certified under this
- 11 chapter.
- 12 (9) Establish a code of professional conduct.
- 13 (10) Adopt rules under IC 4-22-2 to allow chiropractors licensed
- 14 under this chapter to delegate the manual manipulation, manual
- 15 adjustment, or manual mobilization of the spinal column or the
- 16 vertebral column under section ~~14(c)(4)~~ **14(d)(4)** of this chapter.
- 17 (11) Adopt rules under IC 4-22-2 establishing standards for the
- 18 registration and regulation of chiropractic management
- 19 consultants (as defined by the board under IC 25-10-2).
- 20 (12) Set fees for the annual registration of a chiropractic
- 21 management consultant under IC 25-10-2.
- 22 (g) The board shall adopt rules establishing standards for the
- 23 competent practice of the science of the chiropractic in accordance
- 24 with IC 4-22-2.
- 25 (h) All expenses incurred in the administration of this chapter shall
- 26 be paid from the state general fund upon appropriation being made in
- 27 the manner provided by law for the making of appropriations."
- 28 Page 1, line 4, after "(b)" insert "**As used in this section, "manual**
- 29 **adjustment" means a skilled, passive, manual maneuver that:**
- 30 **(1) carries a joint complex beyond the normal physiological**
- 31 **range of motion;**
- 32 **(2) is applied without exceeding the boundaries of anatomical**
- 33 **integrity of the joint complex or other articulations; and**
- 34 **(3) is intended to result in cavitation of the joint or reduce**
- 35 **subluxation.**
- 36 **(c)".**
- 37 Page 1, line 13, strike "(c)" and insert "**(d)**".
- 38 Page 2, line 11, strike "(d)" and insert "**(e)**".

- 1 Page 2, line 11, strike "(b) or (c)" and insert "**(c) or (d)**".
- 2 Page 2, line 18, strike "(e)" and insert "**(f)**".
- 3 Page 2, line 18, strike "(b) or (c)" and insert "**(c) or (d)**".
- 4 Page 2, line 33, strike "mental".
- 5 Page 4, line 7, delete "advise" and insert "**refer**".
- 6 Page 4, line 8, delete "contact".
- 7 Page 4, line, 9, before "or" insert "**optometrist,**".
- 8 Page 4, line 9, after "dentist" insert "**and suspend treatment**".
- 9 Page 4, line 16, delete "must advise" and insert "**shall:**
- 10 **(A) refer**".
- 11 Page 4, line 16, delete "contact".
- 12 Page 4, line 20, delete "." and insert "**; and**
- 13 **(B) suspend treatment.**".
- 14 Page 4, line 28, after "referral" insert "**from a physician, podiatrist,**
- 15 **psychologist, chiropractor, optometrist, or dentist**".
- 16 Page 5, line 19, delete "Notwithstanding IC 25-10-1-14, a physical"
- 17 and insert "**A physical therapist licensed under this chapter may**
- 18 **lawfully provide any service within the scope of physical therapy**
- 19 **(as defined in IC 25-27-1-1), notwithstanding any other law.**".
- 20 Page 5, delete lines 20 through 22.
- 21 Renumber all SECTIONS consecutively.
(Reference is to HB 1174 as introduced.)

and when so amended that said bill do pass.

Representative Brown C